

# SACRAMENTO RIVER CONSERVATION AREA

## BOARD OF DIRECTORS

### MINUTES

August 24, 2000  
6:30 P.M.

Enloe Conference Center  
Chico, CA

Chair Denny Bungarz called the meeting to order at 6:30 P.M. and welcomed all in attendance. He expressed thanks to the M & T Ranch, The Nature Conservancy, the Sacramento River Reclamation District and Jane Dolan, Butte County Supervisor, for hosting the activities prior to the meeting. It was determined the thirteen (13) voting members present constituted a quorum.

Introduction of Board as follows:

County	Public Interest	Landowner	Agency
Butte	Jane Dolan	Shirley Lewis	
Colusa	Bill Waite, Alt. ( <i>David Womble</i> )	Tom Ellis, Alt. ( <i>Ben Carter</i> )	
Glenn	Denny Bungarz	Jason Larrabee	
Shasta	( <i>Glenn Hawes</i> )	( <i>Dan Gover</i> )	
Sutter	Dick Akin	Russell Young	
Tehama	Bill Borrer	Brendon Flynn	
Yolo	Lynnell Pollock	Marc Faye	
Resources Agency			Mel Dodgin
Cal DWR			Bill Bennett
Cal DFG			Diana Jacobs
State Reclamation Board			Pete Rabbon
US COE			Mark Charlton
US Bureau of Reclamation			( <i>Basia Trout</i> )
USF&WS			Jim McKevitt

*Names listed in italics represent absence*

Also present, Coordinator Burt Bundy plus an estimated audience of 50 interested persons.

Resources Agency	Tim Ramirez
Cal DWR	Stacy Cepello

Note—Laura Allen, US Bureau of Reclamation Deputy Regional Environmental Officer, is the new Board appointee replacing Basia Trout, and was in the audience during most of the meeting.

1. ANNOUNCEMENTS: Coordinator Burt Bundy reported correction of date on mailed copy of July minutes to July 27, 2000, and to add Mel Dodgin as representative of the Resources Agency. Also suggested that committee reports may need to be added to the current agenda.
2. MINUTES: Bill Borrer made the following corrections:
  - Page 2, para. 5 last sentence: *...agency representatives are advisory only....*
  - Page 3, para 1: Tehama County Counsel *has stated the only problem.....*
  - Page 3 FWA/NCWA issues: #2: *...Reaches 3 and 4.*

Ben Carter has sent the following corrections:

Last page – Other Issues: *...current list by county of all existing, pending and proposed acquisitions or restoration projects by any entity, county, state, federal or private agency.*

It was moved by Bill Borrer, seconded by Jason Larrabee to approve the July 27, 2000 minutes as corrected. Motion passed by unanimous vote of the board.

3. **DISCUSSION OF CLOSED SESSION POLICY:** The Chairman stated that his policy memo included in the pack delineated three options. Chair indicated that he hoped there will be limited closed sessions. Lynnel Pollock stated she liked the language in Option #1, it clearly defines who will make decisions. Diana Jacobs was inclined to have a general policy for the Board. Tom Ellis indicated (*Ben Carter*) supported #2--Add as Sec. 12, Article 2 of By-Laws...addition of closed session be limited to voting members only. Bill Borrer moved to adopt Option #1 as policy statement to the Board and consider the remaining 2 options as an amendment to the By-Laws at a later date. Lynnel Pollock seconded. Discussion dealt with the legality of a closed session with outside members. Motion carried by unanimous vote.
4. **TAC REPORT:** Dan Keppen, Interim Chair, reported on 1<sup>st</sup> TAC meeting on August 21, 2000 in Orland. Attendance was not the greatest due to harvest time. Notices/agendas must be distributed at an earlier date. He felt it was important to get the process set up, i.e. who had voting rights, what was appropriate. Voting procedure process: TAC will try to make decision on a consensus basis and hold off on any kind of a voting structure until a time when needed. If on issues without consensus, voting will be done on a majority/minority vote of those present. The vote will then be presented to the Board for further discussion/action. Action items: 1) recommendation of Ad Hoc committee and approved by Board to use that list as an initial contact mailing list. 2) Priority issues where TAC is tasked with dealing with technical issues. Dan asked that the Board take some action on separating which issues should go to the TAC and which should be dealt with as policy issues. (Chair stated that this issue is addressed in Board pack). Two primary issues were addressed. 1) Criteria for Hard points definition, 2) Definition of inner-river zone in Reaches 1, 3, & 4. The Inner River Zone was discussed with info presented by Stacy Cepello on how Reach 2 was defined. Koll Buer will address the next TAC meeting regarding the IRZ in Reach 3. Hard Points--A subcommittee of interested members will be established to review the Hard Point issue. At the suggestion of Jason Larrabee, a letter will be sent to the participating counties asking them to give a list of their proposed "hard points".  
Jim McKeveitt inquired about a quorum on the TAC committee. Diana Jacobs noted that if multiple agency people are in attendance, there is a 'one agency, one vote' governance. Technical persons are needed, however, consistency needs to be observed.  
Board requested attendance of TAC committee in Board minutes.  
Jane Dolan inquired about meeting dates/time. Dan replied to try and stay on the 3<sup>rd</sup> Thurs. of the month at 10 A.M. The Willows City Council Chambers will be the meeting place on Sept. 21<sup>st</sup>.
5. **COORDINATOR'S REPORT:**  
Correspondence: Being circulated.  
Administrative Updates: Assistant position is being advertised out and hope to fill in 30 days contingent upon signing of RFP contract. Administrator position being finalized and hope to advertise next week.  
Planning efforts: Included in packets. Burt Bundy commented that both the Woodson Bridge and Hamilton City projects have been looked at for the comprehensive study and both have strong local support, have a balanced eco-system format and flood damage reduction and will stand alone with strong merit as cited in the criteria. This is really the start of the process of defining the projects. He read a brief description of the two projects.

Ernie Ohlin gave a presentation regarding the Woodson Bridge project that has been ongoing for a number of years. Had a lot of input from agency and private property owners over the years. The 1086 program has been involved throughout the project. Bill Borrer reported that the Tehama County Board of Supervisors have passed a resolution on this issue of wanting to get an early implementation project with the COE. Pete Rabbon asked if any known opposition to the Woodson Bridge project. No known opposition.

Jason Larrabee, landowner, commented that the project is headed in the right direction.

Mark Charlton commented that the comprehensive plan is a very large study and we don't want to hold up good work. If it's a good idea, let's move forward so it doesn't take 4-5 years more. This is a partnership with the COE.

Diana Jacobs stated this will start the process and there will be many opportunities for public comment as the project moves along.

Bill Borrer moved that the Board of Directors fully support resolution 96-2000 from the Tehama County Board of Supervisors supporting the Tehama County erosion and flood control project at Woodson Bridge and forward to the COE. Brendon Flynn seconded the motion. Motion carried by unanimous vote of the Board.

The Coordinator was instructed to prepare a letter of acceptance of the resolution.

The Chairman read the Hamilton City project description regarding the flood control and levee construction. The early implementation of this project would run parallel with a COE Section 205 Study. Early Implementation could shorten the time frame of the project. Residents of Hamilton City are doing independent fund raising "Levee Festivals" for the project to help match the funding.

Forrest Sprague commented on the dispute of the location of the levee, with 3 potential sites. .

Mark Charlton stated the COE wants the project to work and work so that it will not fail. Public safety is the greatest issue on the location of the levee. No pre-determined decision has been made. The early implementation of funding would continue the study to make a decision on levee placement.

Bill Paris, attorney for the Community Service District for Hamilton City stated that the District appreciated the support of the Board for the project, however, there is only a study at the present time. A new levee for flood control is needed. The implementation is the end of the means.

Jason Larrabee moved that the Board support the project. Seconded by Bill Waite. Pete Rabbon offered additional language, to support the project with the necessary studies and processes and put in place as quickly as possible a sound public safety project. Jason Larrabee amended the motion to include the letter and inclusion of Pete's language. Passed by unanimous vote of the Board. Chair requested a letter to the COE on the support of the Board.

No update on the Bloody Island project.

Ord Bend Acquisition: no action at this time.

Jim McKevitt made a presentation on the Central Valley Project Improvement Act being implemented by the Dept of Interior. He gave an overview of the CVPIA plan process which started in 1992, Title 34. Fish & Wildlife restoration is a valid action of the Act. It is primarily funded by the Restoration Fund, not the taxpayer dollar.

Tim Ramirez of The Resources Agency reported on the current status of the CALFED program. The final impact statement and report was presented in July, 2000. The next step is to certify and finalize that document to complete a "Record of Decision" which we hope will be

done by the end of August. There are many local agencies, both state and federal, that must pull together to complete the final “ROD” and make it work. They are working in partnership with groups like this to make it work. State funding is attached to the program and legislature is over the end of August. There are 18 agencies involved in the state and federal level that are part of the program.

He stated that AB 1839, Governance for the CALFED program, is going through the legislative process.

Forest Sprague questioned the make-up of that body, indicating that the private sector and landowners were missing. He stated he felt the importance of the Board to make a statement regarding the rights to the “source of origin of water” to defend our water. The Bill could severely damage and compromise the Sacramento River. He questioned on who is the looser to water, we in Northern California. The rights of the source of origin needs total support of this Board. The Board needs to issue a position statement regarding the process. Another member of the audience echoed the concerns about “Area of Origin” protections.

Bill Borrer indicated that the seven counties involved have issued a statement of concerns for CALFED that includes support for “Area of Origin”. He requested that the Coordinator provide a document with the seven (7) county consortium objectives to study before the next meeting.

Tim Ramirez: The CALFED Commission will set up a circle to work with each other. The playing field has been set with limited options to work with. The Resources Agency is a stakeholder with the Board. They have signed on to the project and give strong support to this Board to support projects that the Board identifies. Local support is of utmost importance. The approval from this Board will make a difference and carry much weight.

Diana Jacobs: Predecessor of this Board would get inclusion into the CVPIA. The 1086 Advisory Council has had an impact on the decision.

Jim McKeivitt: the CVPIA and CALFED objectives are one in the same at the present. Goals and projects are develop on a local view, it is a key to success.

Pete Rabbon: CALFED still has to abide by existing federal and state laws that are in place. All projects put in place on the river system (flood control system), will have to obtain permits on at least 50 of the restoration projects they are working on because of the potential to impact flood control. It was F & W S that told CALFED they needed to bring the Reclamation Board into the process. CALFED is truly big but doesn’t give it the right to not abide by the laws that are in place.

Tim Ramirez: The Board sitting here are the best quorum available to make people listen and establish communication with CALFED and related agencies.

Pete Rabbon distributed an information pack regarding floodways, regulations, etc. provided by the Reclamation Board.

## 7. ISSUES FOR DISCUSSION:

Bill Borrer suggested ways of handling the issue and disposition of such which is included in the Board packet. There were 12 issues identified, divided into 2 groups as a draft. These have been broken down to the issues that should be referred to the Board and those to go to the TAC: #1): decision at Sept. meeting. #2) need more time. #3) need clarification of FWA. Board could consider a presentation by FWA. Dick Akin commented that he sits on a relative board that each county has veto power on any project done within their county. The Chair asked him to bring the wording to the next meeting. #4) Study as a Board on the September agenda. #5) same. Recommend these issues be studies as a Board.

TAC: Working on #3) Inner River Zone and #4) Hard Point definition and mapping.

#5) remove “policy” as that is an issue.

Dick Akin will bring legal language on #2a and #3 for review.

#6) Permit process, address later.

Board will address the issues as indicated and take on the balance as time allows.

Recruitment Committee: Chair reported management position will be finalized and advertised next week through CSUC. CSUC is the grantee for the position.

**BOARD MEMBERS COMMENTS:**

Dick Akin suggested a issue that other counties might want to consider of easements and purchases of lands that might change uses, adopted an ordinance that if there is a change in land use, let the county know of this change of land use. Would have to go to the Planning Commission and secure a permit type condition. This might be something that other counties might want to investigate. He was asked by the Chair to provide some information on this subject.

**PUBLIC COMMENT:** None

**NEXT MEETING:** Sept. 28, 2000, Willows area.

Chair stated Ben Carter has a meeting conflict on the 4<sup>th</sup> Thursday meeting date. Asked for consideration for change.

**MEETING ADJOURNED:** 8:55 P.M.